

15. Misbranding of butter. U. S. v. 3 Cases of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21959. I. S. No. 7678-x. S. No. E-6113.)

On May 26, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 3 cases of butter, remaining in the original unbroken packages at Boston, Mass., consigned about May 16, 1927, alleging that the article had been shipped from the Corinth Cooperative Creamery, Inc., Bradford, Vt., and transported from the State of Vermont into the State of Massachusetts, and charging misbranding in violation of the food and drugs act. It was alleged in the libel that the article was misbranded, in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was correct.

On June 7, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

16. Adulteration of oranges. U. S. v. 13 Cases of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21819. I. S. No. 16431-x. S. No. E-6082.)

On March 24, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 13 cases of oranges, remaining in the original unbroken packages at Boston, Mass., consigned about March 19, 1927, alleging that the article had been shipped by the Fruitland Peninsular Packing Assn., George-town, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. Examination of the article by this department showed that it consisted in whole, or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On May 5, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

17. Adulteration of oranges. U. S. v. 57 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21804. I. S. No. 16452-x. S. No. E-6081.)

On March 22, 1927, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 57 boxes of oranges, remaining in the original unbroken packages at Boston, Mass., consigned about March 14, 1927, alleging that the article had been shipped by the Wells Fruit Co., Wells Spur, Fla., and transported from the State of Florida into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a decomposed vegetable substance.

On May 5, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

18. Adulteration of grapefruit and oranges. U. S. v. 372 Boxes of Grapefruit and 1 Carload of Bulk Oranges. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 21818, 21816. I. S. Nos. 12485-x, 12490-x. S. Nos. C-5425, C-5430.)

On March 18 and March 23, 1927, respectively, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels

praying seizure and condemnation of 372 boxes of grapefruit, and 1 carload of bulk oranges, at Cincinnati, Ohio, consigned by the Fruit Distributors, Inc.; the former about March 12, 1927, from Lake Garfield, Fla., and the latter about March 7, 1927, from Lakeland, Fla., alleging that the articles had been transported in interstate commerce from the State of Florida into the State of Ohio, and charging adulteration in violation of the food and drugs act. The grapefruit was labeled in part: (box) "A-Wow Brand * * * Home Office, Jacksonville, Fla. Fruit Distributors, Inc."

Examination of the articles by this department showed that they consisted in whole or in part of frost-damaged fruit.

It was alleged in the libels that the articles were adulterated, in that they consisted of decomposed vegetable substances.

On April 5, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15179. Adulteration of grapefruit. U. S. v. 1 Carload of Bulk Grapefruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21815. I. S. No. 12489-x. S. No. C-5429.)

On March 23, 1927, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1 carload of bulk grapefruit, at Cincinnati, Ohio, consigned by the Lakeland Co., Lakeland, Fla., about March 3, 1927, alleging that the article had been shipped in interstate commerce from Lakeland, Fla., into the State of Ohio, and charging adulteration in violation of the food and drugs act.

Examination of the article by this department showed that it consisted in whole or in part of frost-damaged fruit.

It was alleged in the libel that the article was adulterated, in that it consisted of a decomposed vegetable substance.

On April 5, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15180. Adulteration and misbranding of butter. U. S. v. 150 Pounds of Butter. Consent decree of destruction entered. (F. & D. No. 21288. I. S. No. 3348-x. S. No. C-5233.)

On August 24, 1926, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 150 pounds of butter, remaining in the original unbroken packages at Superior, Wis., alleging that the article had been shipped by Wilson & Co., from Duluth, Minn., on or about August 13, 1926, and transported from the State of Minnesota into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (carton) "Lake View Creamery Butter * * * Lake View Butter Sweet—Pure—Delicious W Wilson & Co."

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Creamery Butter" and "Lake View Butter, Sweet—Pure," borne on the label, were false and misleading and deceived and misled purchasers, and that the article was offered for sale under the distinctive name of butter.

On November 15, 1926, by consent of the parties in interest, a decree was entered, adjudging the product adulterated and misbranded, and ordering that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15181. Adulteration of canned sardines. U. S. v. 898 Cases of Sardines. Decree entered, adjudging product adulterated, and ordering good portion released. (F. & D. No. 19842. I. S. No. 9485-v. S. No. C-4666.)

On February 27, 1925, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on March 9,